United States District Court
Southern District of Texas

## **ENTERED**

May 05, 2020 David J. Bradley, Clerk

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

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§	CIVIL ACTION NO. 3:19-CV-00175
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## ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On August 30, 2019, this case was referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 10. On April 17, 2020, Judge Edison filed a Memorandum and Recommendation (Dkt. 19), recommending that Plaintiff's Motion for Summary Judgment (Dkt. 16) be **GRANTED**, the Commissioner's Motion for Summary Judgment (Dkt. 17) be **DENIED**, the decision of the Administrative Law Judge ("ALJ") be **REVERSED**, and the case be **REMANDED** to the Commissioner for reconsideration.

No objections to the Memorandum and Recommendation have been filed. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 19) is **APPROVED and ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's Motion for Summary Judgment (Dkt. 16) is **GRANTED**;
- (3) Commissioner's Motion for Summary Judgment (Dkt. 17) is **DENIED**;
- (4) The ALJ's decision is **REVERSED**; and
- (5) The matter is **REMANDED** to the Commissioner for reconsideration consistent with this opinion.

It is so **ORDERED**.

SIGNED on Galveston Island this 5th day of May, 2020.

JEFFREY VINCENT BROWN UNITED STATES DISTRICT JUDGE